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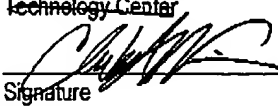
MAY 06 2004

U.S. Patent Application Serial No. 09/706,322	
For: PREDICTING SUSCEPTIBILITY TO NEUROLOGICAL DYSFUNCTION BASED ON MEASURED NEURAL ELECTROPHYSIOLOGY	Examiner: S.M. Getzow
By: Benjamin D. Pless et al.	Art Unit: 3762
Filed: November 3, 2000	
Attorney Docket No. N11-00	

AMENDMENTCommissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully submit this Amendment in response to the Office Action mailed on August 13, 2003, allowing pending claims 16-30, rejecting pending claims 1, 5, and 11-15, and objecting to claims 2-4 and 6-10. A three-month extension of time, if necessary, is respectfully requested. A Petition to Revive is being submitted herewith.

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via facsimile on this <u>23rd</u> day of <u>April</u> , 2004.	
<u>Office for Petitions</u> Technology Center	<u>703-308-6916</u> Facsimile Number
<u></u> Signature	<u>Clarke A. Wixom</u> Name

INTRODUCTORY COMMENTS

Claims 1, 5, and 11-15 stand rejected as unpatentable over Katims et al., U.S. Patent No. 4,503,863.

Claims 16-30 have been indicated to be allowable. Claims 2-4 and 6-10 would be allowable if rewritten in independent form.

This first Amendment submitted by Applicants cancels claims 5-6 and 13-15 and amends claims 1 and 7. Claims 2-4, 7-12 and 16-30 remain pending.

Applicants request a three-month extension of time in which to file this paper; authorization to charge the NeuroPace deposit account the required fee for the extension is enclosed.

Applicants submit that the present Amendment and accompanying papers place this Application in allowable condition; accordingly, Applicants respectfully request reconsideration of pending claims 2-4, 7-12 and 16-30 with a view toward allowance.